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MAR 1 5 2005

OFFICE OF PETITIONS

In re Patent No. 6,819,340 Issued: November 16, 2004 Application No. 09/910,724

Filed: July 23, 2001 Patentee: Paul E. Burke ON PETITION

This is a decision on the petition under 37 CFR 1.182, filed January 3, 2005, requesting issuance of a duplicate Letters Patent for the above-identified patent.

The petition is <u>dismissed</u> because it lacks the required petition fee pursuant to 37 CFR 1.17(f).

Effective December 8, 2003, the fee for a petition under 37 CFR 1.182 was increased to \$400. Any fee amount paid on or after December 8, 2004, must be paid at the revised amount. Petitioner submitted a petition fee of \$130.00. Since the petition does not include an authorization to charge a fee deficiency to a deposit account, a \$270.00 petition fee deficiency exists.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include the \$270 petition fee deficiency and a cover letter entitled "Renewed Petition under 37 CFR 1.182." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

Alternatively, petitioner may request a refund of the partial petition fee within the two-month period.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

Mail Stop PETITION Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450 By hand:

U.S. Patent and Trademark Office

Customer Service Window, Mail Stop PETITION

Randolph Building 401 Dulany Street Alexandria, VA 22314

The centralized facsimile number is (703) 872-9306.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204.

Sherry D/ Brinkley Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner for Patent Examination Policy